United Nations S/2017/206

Security Council

Distr.: General
10 March 2017

Original: English

Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

I. Introduction

1. The present report is submitted pursuant to paragraphs 50 and 52 of Security Council resolution 2277 (2016). It covers major developments that have occurred in the Democratic Republic of the Congo since my report of 29 December 2016 (S/2016/1130). The present report describes progress in the implementation of the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and provides an update and makes recommendations on adjustments to the Mission in support of the political transition and its preparedness to address security risks and monitor and report on human rights violations and abuses.

II. Major developments

A. Political situation

2. On 19 December 2016, the second and final constitutional term of the President of the Democratic Republic of the Congo, Joseph Kabila, expired. The political tensions that had been rising steadily throughout 2016 erupted again, as many demonstrations across the country turned violent. On 31 December, mediation efforts led by the Conférence épiscopale nationale du Congo (CENCO) culminated in the conclusion of a new political agreement to govern the transitional period until the holding of elections. The agreement, which was signed by representatives of the signatories and non-signatories of the political agreement signed on 18 October 2016, helped defuse political tensions, most notably in Kinshasa.

3. More than two months after its signing, however, implementation of the new political agreement remains stalled. On 10 January 2017, CENCO launched a new round of negotiations to achieve a compromise on the special provisions governing the implementation of the political agreement. Consensus was reached on a non-hierarchical vice-presidency of the Conseil national de suivi de l'accord (CNSA) and its composition, designating Étienne Tshisekedi, the former leader of the Union pour la démocratie et le progrès social (UDPS) and the Rassemblement des forces politiques et sociales de la République démocratique du Congo acquises au changement, as its head. The signatories also agreed on a timeline to implement

Please recycle

the political agreement, which envisages the operationalization of CNSA, the submission of lists for the reshuffling of the Independent National Electoral Commission and the publication of the electoral calendar by 15 April.

4. The continued lack of agreement among the signatories on the modalities to designate the Prime Minister remains a major obstacle to progress. In a meeting with the CENCO leadership on 20 February, the President reiterated his request for three names to be put forward for the position of Prime Minister and called for a shift in focus from power-sharing arrangements to the organization of elections. The Rassemblement, for its part, continues to insist on a sole candidate, in accordance with the political agreement of 31 December 2016. Disagreement also persists between the ruling majority and the Rassemblement on the allocation of the ministries of Foreign Affairs, Interior, Defence and Justice in the transitional government.

5. The passing on 1 February of Mr. Tshisekedi has also hampered the nomination of the Prime Minister and the establishment of CNSA. The ruling majority and the Rassemblement also disagree on the future role of CENCO, with the former opposed to CENCO continuing its mediation role beyond the negotiation of the special provisions. In February, Catholic parishes and seminaries in Kananga, Kinshasa and Lubumbashi were attacked, possibly as a result of growing frustration among segments of the population with delays in the CENCO-led negotiations on the special provisions. On 2 March, Félix Tshisekedi, the son of Étienne Tshisekedi and a Deputy Secretary-General of UDPS, became president of the Rassemblement, and Pierre Lumbi from the Groupe des sept opposition coalition took over leadership of the Conseil des sages of the Rassemblement.

6. Meanwhile, the voter registration process continued, following the completion of a pilot phase on 29 November 2016. In mid-December, the Independent National Electoral Commission launched voter registration in 2 of the 4 operational areas (covering 13 provinces). On 23 February 2017, the Commission reported that 15 million people had been registered. Registration is expected to begin in the remaining 2 areas (covering the remaining 13 provinces) in March and April. MONUSCO continued to support voter registration. As at 28 February, MONUSCO had transported, mostly by air, more than 2,000 tons of voter registration materials to locations throughout the country. The Mission is expected to complete the transportation of registration materials by the end of March.

7. The funding of the elections continues to be an issue. On 15 February, Budget Minister Pierre Kangudia announced that it would be challenging for the Government to raise the estimated $1.8 billion required to hold elections. On the same day, the Minister of Communications and Media and Spokesperson for the Government, Lambert Mende, indicated that Mr. Kangudia had been misunderstood and that the Government was committed to holding presidential elections in 2017. The President of the Independent National Electoral Commission subsequently stated that the Commission's updated budget for the electoral cycle was $1.3 billion, covering all elections. As at 24 February, the Government had reportedly disbursed to the Commission $180 million of the $300 million it had pledged in 2016 to organize the elections.

8. The multipartner basket fund for the Projet d' appui au cycle électoral au Congo (PACEC) to support the electoral cycle, managed by the United Nations Development Programme, remains funded at 6 per cent of the required amount of $123.3 million, partly due to donor concerns regarding uncertainties surrounding arrangements for the political transition. Lack of funding for PACEC is limiting civic education, the deployment of election monitors and other important types of support for the electoral process.

B. Security situation

9. There have been major shifts in the security landscape in the country during the reporting period. Violence and threats to civilians are no longer concentrated in the eastern Democratic Republic of the Congo, as community-based violence and inter-ethnic clashes have spread from areas already affected by armed conflict, such as in North and South Kivu provinces, to Tanganyika, the three Kasai provinces and Kongo Central. Armed group activity in the east has increased, particularly with the resurfacing of the former Mouvement du 23 mars (M23). The resurgence of violence across the country has been exacerbated by the current uncertain political situation, as well as by the manipulation of grievances for political ends and support to armed militias by some political actors. The increasing use of self-defence militia, acting along ethnic lines, points to a growing sense of insecurity and uncertainty. The risk of violence related to elections, mainly in urban areas, is also increasing, and is expected to rise further the longer the implementation of the political agreement remains stalled, prolonging the current political uncertainty.

Eastern Democratic Republic of the Congo

10. Civilians continue to be seriously affected by the ongoing activities of armed groups in North and South Kivu, Ituri and Haut-Uélé provinces, resulting in continued operations by the Congolese armed forces and MONUSCO. Although under military pressure, the Allied Democratic Forces (ADF), the Forces démocratiques de libération du Rwanda (FDLR) and the Force de résistance patriotique de l'Ituri (FRPI) have managed to retain the capacity to conduct destabilizing activities.

11. In North Kivu, 42 people were killed between 24 and 31 December 2016 in a series of attacks by presumed ADF forces, or their affiliates, around Eringeti, in Beni territory. Clashes among FDLR and its splinter group, the Conseil national pour le renouveau et la démocratie-Ubwiyunge (CNRD), the Forces armées de la République démocratique du Congo (FARDC) and Mai-Mai groups, caused significant population displacement. Intercommunal conflict, particularly between the Hutu and Nande communities, also intensified during the reporting period.

12. Coordinated operations by FARDC and MONUSCO in January helped disrupt the activities of ADF and other armed groups. The Mission deployed forward bases on the border with Ituri province, near Beni town, and in Mamudioma, near the ADF stronghold known as the "triangle" area. It also reinforced its presence in Itebero, Walikale territory, to investigate allegations of human rights violations and increased patrolling in Nyanzalé in response to rumours of an attack by armed groups on the civilian population. A forward base was extended in Luhanga to protect the site of internally displaced persons from the Hutu community that had been attacked by Mai-Mai elements in November.

13. MONUSCO continued to support FARDC military operations against FDLR and undertook unilateral operations to maintain military pressure on the armed group by targeting its leadership and its key sources of income, including the charcoal trade. In late December, a number of FDLR camps and charcoal taxation checkpoints were dismantled during such operations. In late December and in January 2017, a significant amount of FDLR communications equipment and a number of FDLR internal documents were recovered near Virunga National Park.

14. On 27 January 2017, following reports that a group of former M23 elements had entered North Kivu from Uganda and were in North Kivu, two FARDC attack helicopters involved in an operation against the former M23 elements crashed near the Mikeno and Karisimbi mountains in Rutshuru territory, close to the Rwandan

border. MONUSCO helped rescue five crew members and FARDC soldiers from the crash site during subsequent ground operations against suspected former M23 elements. MONUSCO recovered seven bodies (two crew members, an FARDC colonel and four alleged former M23 elements) and FARDC detained one former M23 element. The Government of the Democratic Republic of the Congo subsequently deployed 700 additional FARDC troops to North Kivu to reinforce its presence on the ground. MONUSCO is conducting regular reconnaissance missions in North Kivu, in close coordination with FARDC and the Congolese authorities, to monitor the movements of former M23 elements into the Democratic Republic of the Congo.

15. In Ituri, during the month of January, MONUSCO documented 40 human rights violations involving the FRPI. MONUSCO and FARDC conducted seven coordinated operations against FRPI, during which 27 of their fighters were killed, 1 was wounded and 2 were apprehended. Intercommunal violence between the Hema and Lendu communities subsided, following an intercommunity dialogue launched in Irumu territory by the provincial authorities, with MONUSCO support.

16. In South Kivu, movements by armed groups were reported, particularly in Fizi, Shabunda and Uvira territories. Significant FDLR movements were also reported in Mwenga territory. In the Ruzizi plains, FARDC blocked cross-border movements by Burundian armed elements into Uvira territory, with some Forces nationales de libération (FNL) elements killed during an operation. MONUSCO also conducted operations with FARDC, targeting FNL camps around Sange, Uvira territory, with the aim to restrict their freedom of movement and access to resources.

17. In Haut-Uélé, the Lord's Resistance Army (LRA) continued to attack civilians in north-western Dungu territory and along the Bangadi-Niangara axis, pillaging food supplies and abducting civilians. Furthermore, cross-border movement by armed elements from the Sudan People's Liberation Movement/Army in Opposition (SPLM/A-IO) and the Sudan People's Liberation Army continued. South Sudanese combatants have also reportedly infiltrated some refugee camps in Haut-Uélé. MONUSCO extended the deployment of a forward base in Doruma, on the border with South Sudan, to reinforce its presence in the area and support the operations of the Office of the United Nations High Commissioner for Refugees (UNHCR) as needed. The Mission has also contributed to strengthening community-based protection of civilian mechanisms in villages along the border with South Sudan to improve early warning and response.

18. Against the backdrop of continued activity of armed groups in the east, members of some armed groups continue to surrender, with new combatants entering the national programme of disarmament, demobilization and reintegration, which is supported by MONUSCO. Under the programme, the Government has completed the return of 3,763 former combatants from the Kitona and Kamina camps to their communities in eight provinces, mainly in the eastern part of the country, while some 150 former combatants in Kamina and 514 in Kitona started the first stage of reinsertion in January. MONUSCO continued its community-violence reduction activities, launching 20 projects in the eastern provinces during the reporting period.

19. Both Congolese and foreign combatants have presented themselves to MONUSCO to enter disarmament, demobilization and reintegration or disarmament, demobilization, reintegration and resettlement or repatriation processes, respectively. That includes 42 Congolese combatants, of whom half were from the Forces démocratiques de libération du Rwanda-Forces combattantes Abacunguzi (FLDR-FOCA) group; 12 from various Mai-Mai groups; 8 Nyatura; and 2 from CNRD; as well as 32 foreign combatants, the majority of whom were

FDLR-FOCA and have been repatriated to Rwanda. The Mission continues to provide support to 298 disarmed FDLR and 1,050 dependants who were part of the incomplete voluntary disarmament process in Kanyobagonga, Kisangani and Walungu camps, and to 628 SPLM/A-IO elements, including 28 minors, accommodated on MONUSCO premises in Dungu and Goma.

Emerging areas of violence

20. The resurgence of violence in areas that were, up until recently, relatively calm has taken a heavy toll on civilians in a number of areas where MONUSCO has a minimal presence.

21. In Tanganyika, fighting between the Twa and Luba communities spread into five of its six territories, claiming the lives of nearly 150 people and displacing 433,777 as at 28 February 2017. In mid-January, clashes between Twa and Luba youth in Moba resulted in the death of five civilians and significant population displacement. MONUSCO reinforced its presence in Manono and facilitated the deployment of FARDC to Moba, Monde and Nyunzu to disperse various militia elements occupying those areas. The Mission also supported community-based conflict resolution initiatives in the territories affected by conflict.

22. Violence escalated sharply in the Kasai provinces and Lomami province, due to clashes between national security forces and members of the Kamuina Nsapu militia. In January, at least 40 people were killed, mostly by militia members, in clashes with Congolese security forces in Dibaya territory, Kasai Central. Between 25 January and 5 February, clashes with the Congolese security forces reportedly resulted in the death of at least 22 militia members. From 6 to 8 February, in Nguema, in Kasai Central, at least 47 people, including militia members and civilians, were reportedly killed during a military operation led by FARDC. From 9 to 13 February, further military action by FARDC against the militia resulted in the alleged killing of at least 84 presumed militia elements in and around Tshimbulu, Kasai Central. The militia reportedly killed two local chiefs for not cooperating with them and increased the recruitment and use of children in the militia. The Government has launched investigations into allegations of human rights violations in the Kasai provinces.

23. The Mission deployed interdisciplinary mobile monitoring and response teams, which are specifically designed to deploy to areas where MONUSCO no longer has a presence or its presence is limited, to several areas affected by the violence in the Kasai provinces. The aims of the teams are to verify reports of serious human rights violations, improve the Mission's situational awareness and engage with local and provincial authorities, communities and civil society. A company from the rapidly deployable battalion in South Kivu was deployed to Kananga on 23 December 2016 and relieved by a company of MONUSCO Force reserves from Kinshasa on 20 January 2017. On 22 February, an additional company was deployed to Kananga in order to establish additional forward bases and early warning systems in key areas of the Kasai provinces. MONUSCO used its reinforced presence to support local conflict-resolution initiatives, including initial disarmament discussions with the Kamuina Nsapu militia. Provisional authorities in Kasai Oriental engaged in efforts, supported by MONUSCO, to enlist the support of community leaders in defusing tensions in their areas and persuading local youth not to join the Kamuina Nsapu militia.

24. In Kongo Central, political tensions rose sharply in the lead up to and immediately after the expiration of the President's mandate. In January, in Kimpese, the residence of the Vice-President of the Bundu Dia Mayala (BDM) political party, who was recently appointed as Vice-Minister of Infrastructure, Public Works and

Reconstruction was burned and looted by supporters of the President of BDM. Subsequent clashes between BDM supporters, the national police and FARDC resulted in the death of two presumed BDM supporters and one police officer. In February, nine civilians were reportedly shot dead by the police as a crowd attempted to recover the bodies of the dead BDM supporters from a local mortuary. The national police also clashed with sympathizers of BDM in Kinshasa and surrounded the residence of the leader of BDM supporter and a member of Parliament, Ne Muanda Nsemi, who is wanted by the judiciary for sedition, resulting in 2 BDM elements killed, a number of civilians injured and 22 people arrested. On 4 March, in Kinshasa, the police arrested Mr. Nsemi and his wife in an operation during which one police officer and three BDM elements were killed. The police also seized three firearms and arrested 307 people, 170 of whom were released the same day.

25. In Kinshasa, in the lead-up to the end of the President's term on 19 December 2016, MONUSCO reinforced its presence with two additional companies, bringing its strength in the city to one battalion, until one company was redeployed to Kananga. The Mission also strengthened its tactical operations centre in Kinshasa to facilitate a coordinated Mission response to electoral violence by the Mission's police, military and human rights components. MONUSCO also trained 133 national police audit inspectors on human rights monitoring to strengthen oversight of the actions of the national police.

Regional developments

26. Efforts continued at the regional level to address the continued threat of armed groups in the eastern Democratic Republic of the Congo. In January 2017, my Special Representative for the Democratic Republic of the Congo and my Special Envoy for the Great Lakes Region met with the Minister for Foreign Affairs of the Democratic Republic of the Congo in Kinshasa to urge the resumption of efforts to implement the Nairobi Declarations in order to address the return of ex-M23 elements. They also met with the President of Uganda, Yoweri Museveni, to discuss, inter alia, the issue of the former M23 elements. They also attended a meeting of the guarantors of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region on the margins of the twenty-eighth ordinary session of the Assembly of the African Union in Addis Ababa. In their final communiqué, the guarantors expressed concern regarding the continued activities of armed groups in eastern Democratic Republic of the Congo, the reported incursion by former M23 elements into the country and the prolonged presence of SPLM/A-IO elements on Congolese soil. Further developments in relation to the Framework are provided in my report on the implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region (S/2017/208).

27. My Special Representative and my Special Envoy also carried out joint démarches in the Democratic Republic of the Congo with a view to addressing the presence of SPLM/A-IO elements on Congolese territory and concerns related to the negative impact of the conflict in South Sudan in the north-eastern part of the Democratic Republic of the Congo. In their exchanges on 12 and 13 January 2017 with national and provincial authorities, including the Chief of Staff of the President, the Vice-Prime Minister for the Interior, the Vice-Prime Minister for Foreign Affairs and representatives of the SPLM/A-IO, they emphasized the need to seek a durable political solution, supported by regional actors. My Special Representative and my Special Envoy also discussed the matter with the President of Uganda.

C. Human rights situation

28. The human rights situation continued to deteriorate amid rising violence and political turmoil. In 2016, MONUSCO documented 5,190 human rights violations throughout the country, which represents an increase of 30 per cent compared with 2015. The activities of several armed groups in conflict-affected provinces also increased, resulting in many human rights violations, particularly in North Kivu (1,910 violations), Ituri (749 violations) and Haut-Katanga (328 violations).

29. In 2016, State agents were responsible for 64 per cent of the total number of documented violations, including the extrajudicial killing of 480 civilians. The national police remained the main perpetrators of human rights violations, totalling 1,553 abuses, representing 30 per cent of the total number of documented cases in 2016. That represents an increase of 65 per cent compared with 2015.

30. Throughout 2016, armed groups accounted for 36 per cent of the total number of violations, which included the killing of 718 civilians. Of the 1,871 human rights abuses attributable to armed groups, FRPI elements were responsible for most human rights abuses, with 516 incidents documented, mostly looting. FDLR elements remained particularly active in the territory of Rutshuru, North Kivu, and were responsible for a large number of summary executions (150 victims), and violations of the right to the liberty and security of person (225 victims). ADF and suspected affiliated groups were the main perpetrators of summary executions, with at least 230 victims.

31. In 2016, the Mission recorded 1,102 violations of human rights and fundamental freedoms linked to restrictions of democratic space, a fourfold increase compared with 2015. Particularly violent incidents were recorded during the political unrest around 19 December. Between 15 and 31 December, the Mission documented the killing by State agents of at least 40 civilians, including 5 women and 2 children, and the wounding of 147 individuals, including 14 women and 18 children. During the same period, at least 917 individuals, including 30 women and 95 children, were arrested by State agents throughout the country. Although most of those individuals were later released, more than 70 have reportedly been charged with a felony, including spiteful destruction, looting, rebellion or participation in an insurrectional movement. Many of the individuals were reportedly subjected to cruel, inhumane or degrading treatment at the time of arrest or during detention.

32. There were also several cases of violence by demonstrators on 19 December. One national police officer was killed by demonstrators in Kinshasa and another was slightly injured by protestors in Lubumbashi, Haut-Katanga. Demonstrators also looted and destroyed public and private property in Kinshasa, Lubumbashi, Luebo (Kasai), Boma and Matadi (Kongo Central).

Child protection

33. MONUSCO documented 114 grave violations against children, a slight decrease from the 120 cases documented during the previous reporting period. Children continued to be recruited and used by armed groups. The main armed groups that recruited and used children were Mai-Mai Mazembe/Union des patriotes pour la défense des innocents (14), Nyatura (12), Nduma défense du Congo-Rénové/Guidon (8), FDLR (8), Mai-Mai Raia Mutomboki (7) and Alliance des patriotes pour un Congo libre et souverain (6). Some 7 children were killed and maimed, while 9 were abducted and 25, including 2 boys, were victims of sexual violence. In total, 61 boys and 9 girls were separated or escaped from armed groups. Two boys allegedly associated with armed groups were released from FARDC custody and handed over to MONUSCO, while 13 boys, including 2 Rwandans,

remained in FARDC detention. In 2017, as at 23 February, joint advocacy by MONUSCO and the United Nations Children's Fund has led to the release of 37 minors, ages 15 to 17, who had been detained in Kananga prison since August 2016 for alleged association with Kamuina Nsapu militia activities. Armed groups also carried out two documented attacks against schools and one against a health-care centre.

Sexual violence

34. MONUSCO recorded a sharp increase in conflict-related sexual violence perpetrated in the context of intensifying inter-ethnic conflict in Kalemie territory, Tanganyika province. Following an investigation mission from 23 to 25 January 2017, MONUSCO confirmed the rape of 30 women and 6 girls. Nineteen of the 36 victims, including the 6 minors, belong to the Twa community, while 3 Luba women perceived as supporting the Twa community were raped by Luba men. The remaining 14 women, all internally displaced persons from the Luba community, were all reportedly raped by men from the Twa community during attacks in November 2016 and January 2017.

D. Humanitarian and economic situation

35. The humanitarian situation deteriorated owing to intensifying intercommunal violence in the eastern Democratic Republic of the Congo. A total of 2.2 million persons had been forcibly displaced as at 31 December 2016. In Tanganyika, the spread of violence in several areas of the province forced some 102,000 people into new displacement in the final quarter of 2016, including an estimated 46,000 people into neighbouring Haut-Lomami and Haut-Katanga provinces. Similarly, in Kasai Central and Kasai Oriental provinces, clashes between FARDC and local militia displaced more than 225,000 people by the end of January 2017. As at 31 December 2016, there were 451,956 refugees and asylum seekers in the country, mostly from Burundi, the Central African Republic, Rwanda and South Sudan. By early January 2017, UNHCR had registered 28,000 South Sudanese refugees, with the majority settled close to the border with South Sudan in the territories of Dungu and Faradje, in Haut-Uélé.

36. Humanitarian access continued to be obstructed by insecurity in some areas in the eastern provinces. Funding for humanitarian aid failed to keep pace with growing humanitarian need. The Humanitarian Response Plan was funded at a little more than 60 per cent ($412 million of $690 million) at the end of 2016. On 10 February 2017, the humanitarian community and Congolese authorities launched an appeal for $748 million to assist 6.7 million people in need for 2017.

37. The downward macroeconomic trend, due to a large extent to the decline in global commodity prices, continued. The Congolese franc has depreciated by more than 30 per cent since January 2016, despite efforts by the Central Bank to curb inflation. On 13 January 2017, the Central Bank doubled its prime rate from 7 to 14 per cent, and on 24 January it injected $50 million into the interbank exchange market in an effort to support the Congolese franc. The deteriorating socioeconomic situation risks fuelling popular frustration in an already tense political environment.

III. Proposed adjustment of MONUSCO and implementation of key reporting obligations

38. The political agreement of 31 December 2016 provides a clear path towards the holding of elections and offers the best chance of a peaceful transfer of power,

which would set the stage for the eventual drawdown and exit of MONUSCO. The Mission's main strategic objective during the next 12 to 18 months, therefore, will be to help create an environment conducive to the timely holding of peaceful, inclusive and credible elections in accordance with the provisions of the political agreement. The achievement of that objective will depend on the political will of the signatories. The Mission is adjusting its priorities, posture and presence to ensure that it is well positioned to use the full range of tools at its disposal to support the political and electoral process, contribute to the protection of civilians, reduce the threat posed by armed groups and assist with stabilization efforts.

Political and electoral process

39. Swift implementation of the political agreement, beginning with the finalization of the special provisions, remains critical in order to maintain the momentum towards elections and prevent a further deterioration of the security and human rights situation in the country. MONUSCO will, in particular, support that process through the sustained good offices, political facilitation and engagement of my Special Representative for the Democratic Republic of the Congo with all national stakeholders, as well as regional and international partners. MONUSCO is also ready to support the work of CNSA, as requested, in order to help ensure that that key body is able to fully exercise its critical role in overseeing the implementation of the political agreement. That is fundamental to achieving the overarching strategic objective. Alongside those efforts, MONUSCO will continue to provide technical and logistical support to the Independent National Electoral Commission to conclude the updating of the voter registry and, if mandated by the Security Council, support the organization and conduct of the elections.

Civilian staffing

40. MONUSCO is recalibrating its civilian staffing to ensure that it is well positioned to support its main strategic objective during the transition period and the upcoming elections. To that end, civilian staff members in key leadership and management roles are being moved from Goma to reinforce MONUSCO headquarters in Kinshasa, which will enable Mission leadership to increase engagement with the host country authorities.

Human rights

41. As part of its efforts to create an environment conducive to the holding of peaceful, inclusive and credible elections, MONUSCO will maintain a strong focus on the promotion of human rights, the preservation of political space and the promotion of confidence-building measures. Rigorous human rights monitoring, reporting, investigation and advocacy will be a critical part of the Mission's efforts to reduce political violence during the transition period and the upcoming elections. The Mission will intensify its engagement with national authorities at all levels, security actors and all relevant stakeholders to urge respect for fundamental political freedoms. It will also work closely with the Conseil supérieur de l'audiovisuel et de la communication to contribute to the promotion and respect for freedom of the press. MONUSCO will make use of its prosecution support cells to help Congolese authorities ensure that perpetrators of serious human rights violations are held accountable.

Protection of civilians

42. MONUSCO will continue to pursue a comprehensive approach to the protection of civilians that emphasizes the use of its good offices and political facilitation at the local, provincial and national levels, as well as human rights

monitoring and reporting to prevent and de-escalate intercommunal conflicts, which are likely to become increasingly politicized in the run-up to the elections. To that end, the Mission is taking steps to strengthen its information collection and analysis in order to address the root causes of conflict through a better understanding of the linkages between local and national political dynamics, connections between armed groups, weapons flows and criminal networks. The Mission is also enhancing its analytical and early warning capacities in key hotspots, including through the strengthening of its information architecture and community alert networks.

United Nations Organization Stabilization Mission in the Democratic Republic of the Congo force

43. The MONUSCO force continues to adopt a more flexible, mobile and agile posture in support of the Mission's main strategic objective, which would enable it to concentrate its forces where they are most needed to protect civilians under threat of physical violence. Enhanced capabilities, including intelligence assets and specialized infantry, used in conjunction with the Mission's existing analytical mechanisms and aviation assets, would allow MONUSCO to better address the rapidly increasing range of challenges during the upcoming period. Adjustments to the force would be done within existing resources by replacing existing units with more specialized capabilities, assuming they can be generated in a timely fashion. Those adjustments will not result in any increase in personnel.

44. Adjusting the MONUSCO force to be more flexible, mobile and agile will also require commensurate efforts to remove any caveats limiting the use of the force in different areas, including the rapidly deployable battalions. The force will also enhance accountability through more robust monitoring of performance, as requested by the Security Council. In addition, adjustments will be made to the force's sector boundaries in order to respond to new and evolving threats.

45. MONUSCO continued to undertake efforts to transform the force, namely through the deployment of rapidly deployable battalions, which are essential to support greater mobility. The deployment of one company-sized reinforcement of such a battalion into the Katanga Sector from December 2016 to 20 January 2017 was a key component of the Mission's response to the escalating violence in that area. The second such battalion is due to arrive in the Mission area in April 2017.

Police component

46. MONUSCO has seven formed police units currently deployed in Beni, Bukaku, Bunia, Goma and Kinshasa, which will continue to conduct frequent patrolling to prevent and deter human rights violations, facilitate deployment and monitoring by human rights and police teams, and intervene rapidly when necessary. In the light of the increasing threat of violence related to the elections and the political situation, two additional formed police units would be required for Lubumbashi and Kananga, which are likely to be electoral hotspots and currently lack a formed police unit presence. Such rapid intervention capabilities in those key urban areas would enhance the Mission's capacity to protect civilians, as well as United Nations personnel and premises, in the case of an outbreak of election-related violence. An additional 36 armoured personnel carriers would be required to enhance the mobility of existing and new formed police units.

Support to national security agencies

47. The Mission will also deepen its engagement with the national security forces to promote a secure environment in which all citizens peacefully participate in the democratic process. Support to the national security forces, whether related to

capacity-building or operations, will be provided in strict compliance with the United Nations human rights due diligence policy, with an emphasis on the potential impact of the Mission's support in terms of respect for political rights and freedoms. MONUSCO police, with the support of the Human Rights Division, will continue to support the national police, in particular, through training on human rights and public order management, while closely monitoring their conduct and operations. The Mission plans to enhance direct tactical cooperation with FARDC in the eastern Democratic Republic of the Congo, including through combat liaison support teams.

Stabilization

48. MONUSCO will focus its stabilization efforts on ensuring that the gains made to date are preserved and can be built on after the elections in the context of the Mission's exit strategy. Specifically, the Mission will use its good offices to support key stabilization efforts, including key reforms to the Peace, Security and Cooperation Framework, engage with the United Nations country team and bilateral donors to address the impact of the deteriorating socioeconomic situation and maintain its support to area-based approaches to stabilization in the eastern Democratic Republic of the Congo, including by providing coordination for and support to the multi-donor International Security and Stabilization Support Strategy and efforts to reduce community violence.

Presence

49. The Mission is developing plans to strengthen its civilian, police, and/or force presence by shifting resources to a limited number of locations, including Beni and Kananga, where high tensions are expected to continue throughout the transition period, or where its presence is currently limited or non-existent. Since MONUSCO cannot establish a sufficient presence in all high-risk areas at once within its existing resources, efforts to improve the Mission's ability to respond quickly to emerging threats, with a focus on prevention and mitigation, will continue.

50. Given the Mission's limited presence in most of the country, the ability to quickly move civilian and military personnel to trouble spots, as they emerge, will be critical throughout the transition period, including for the transformation of the force. As demonstrated by the Mission's recent experience in the Kasai provinces, mobile monitoring and response teams, which are specifically designed to deploy rapidly to areas of potential or emerging violence with little or no MONUSCO presence, have proven valuable in providing the Mission with situational awareness and analysis, as well as a means of monitoring and reporting on human rights violations in areas where the Mission is not present. The teams also help guide the Mission's engagement with provincial and national authorities to de-escalate tensions and address the root causes of violence. Mobility and flexibility will remain critical.

IV. Safety and security of United Nations personnel

51. Some 75 security- and safety-related incidents affecting United Nations personnel were reported in the Democratic Republic of the Congo during the period under review. Those included 38 criminal incidents targeting mainly national staff, 7 cases linked to civil unrest, 26 hazards-related cases and 4 incidents related to armed conflict. MONUSCO has made the assessment that its support to FARDC-led operations against armed groups and the volatile transition context may lead to threats to United Nations personnel and installations, and has reviewed its

operations and procedures and taken relevant risk mitigating measures to address changes in the security situation.

V. Serious misconduct, including sexual exploitation and abuse

52. MONUSCO continued to vigorously enforce my policy of zero tolerance of sexual exploitation and abuse among all personnel, resulting in a reduction from six incidents to two, compared with the previous reporting period. The Mission continued to take preventive action, such as conducting training and awareness-raising activities and risk assessment and monitoring visits, establishing community-based complaint networks, conducting regular deterrent patrols by MONUSCO formed police units and military police and implementing out-of-bound areas and curfew regimes. The community-based complaint networks implemented over the past six months have proven effective, with no new allegations received by the networks in their areas of operation. MONUSCO, in coordination with other United Nations entities, provided assistance to victims of sexual exploitation and abuse. Moreover, the Mission continued to encourage more engagement of relevant national authorities in prevention efforts and sustainable victim support.

VI. Financial aspects

53. The General Assembly, in its resolution 70/274, appropriated the amount of $1,235.7 million for the maintenance of MONUSCO for the period from 1 July 2016 to 30 June 2017. My proposed budget in the amount of $1,234.6 million for the maintenance of the Mission for the period from 1 July 2017 to 30 June 2018 has been submitted to the Assembly for its consideration during the second part of its resumed seventy-first session. Should the Security Council decide to extend the mandate of MONUSCO beyond 31 March 2017, the cost for maintaining the Mission would be limited to the amounts approved by the Assembly.

VII. Observations and recommendations

54. The Democratic Republic of the Congo once again finds itself at a crossroads. I commend the spirit of compromise demonstrated by Congolese stakeholders from across the political spectrum and the mediation efforts of CENCO, which resulted in the signing of the political agreement of 31 December 2016. The political agreement offers a viable path towards the holding of peaceful, credible and inclusive elections, which will allow the country to move forward towards a more stable future where peacekeepers are no longer required. Significant political, logistical and financial obstacles will need to be overcome to attain that goal. I therefore call upon all concerned Congolese stakeholders to work in the same spirit of collaboration and good faith, and with the same sense of responsibility, towards the establishment of the special provisions and the speedy implementation of the transitional arrangements, starting with the appointment of the Prime Minister and the establishment of CNSA. Further delays will only serve to inflame tensions and fuel the violence that is now spreading across the country.

55. The enthusiasm generated by the political agreement of 31 December has given way to brinkmanship and manipulations by Congolese stakeholders from across the political spectrum. The most pressing task now for the United Nations, working closely with its key regional and international partners, is to support the establishment of the transitional arrangements envisaged in the political agreement and help create an environment conducive to the holding of peaceful, credible and

inclusive elections and a peaceful transfer of power in the shortest possible time frame. The coming months will be critical in that regard. Every effort must, therefore, be made at the national, regional and international levels to keep the process moving forward, as called for in the joint statement of the United Nations, African Union, European Union and International Organization of la Francophonie issued on 16 February 2017. I therefore call upon the Security Council to put its full weight behind the political agreement and the efforts of MONUSCO to support its swift implementation. To that end, my Special Representative for the Democratic Republic of the Congo will continue to exercise his good offices to support the political transition, including the establishment and smooth functioning of the transitional institutions, the protection and promotion of human rights and fundamental freedoms and the preservation of political space.

56. I would also encourage the Security Council to ensure that MONUSCO is mandated and appropriately resourced to support the electoral cycle, beyond the completion of the revision of the voter registry, through the provision of logistical and technical support to the other phases of the electoral process that must be completed to ensure the timely holding of credible presidential, national and provincial legislative elections. Such support would certainly entail a degree of risk. However, with the signing of the political agreement of 31 December, the placing of stringent conditions on the Mission's ability to act would contribute to prolonging the current political uncertainty and creating further delays in the implementation of the political agreement and the electoral process.

57. There will be many challenges in the transition period ahead. I am concerned by the slow pace of negotiations on the implementation modalities of the political agreement of 31 December and the rapidly deteriorating security situation across the country, which is exacerbated by the prevailing political uncertainty. Insecurity is no longer limited to the eastern Democratic Republic of the Congo, where violence and threats to civilians by armed groups persist and where the majority of MONUSCO forces are deployed. It has spread to other areas, such as the three Kasai provinces, Kongo Central and Tanganyika, where intercommunal violence and challenges to State authority are mounting. Major urban areas are also at risk of increasing violence in the electoral context. The Mission has done its utmost to adapt to that new environment, within existing resources, but will be hard-pressed to satisfactorily fulfil its mandate across the country if current trends continue.

58. The current political and security challenges facing the Democratic Republic of the Congo require a political solution, backed, where necessary, by a credible and effective security response. The primary responsibility for that rests with the national authorities, and MONUSCO will continue working with them to address specific threats to the civilian population within its existing mandate and resources and in strict compliance with its human rights due diligence policy.

59. I intend to ensure that MONUSCO fulfils its mandate to protect civilians by, inter alia, improving the performance of its military and police components. All MONUSCO troops must be ready and willing to use force against armed groups that pose a threat to the civilian population, and to do so pre-emptively. The conduct of targeted offensive operations to neutralize armed groups should remain the priority task of the force Intervention Brigade units; however, the framework brigades must contribute actively in a supporting role to the neutralization of armed groups. I count on the support and cooperation of troop- and police-contributing countries to do their utmost to preserve the effectiveness and credibility of MONUSCO, and will continue to engage them in that regard. I will also report to the Security Council, as requested, on any cases of non-performance.

60. Enhanced mobility, flexibility and agility of MONUSCO troops will be even more necessary to effectively support the realization of the Mission's political strategy, particularly during the upcoming period. I am therefore exploring the possible deployment of additional specialized capabilities, including intelligence assets and specialized infantry, which would be accomplished by reducing other MONUSCO troops, resulting in no increase in the number of troops on the ground.

61. Priority will also continue to be given to deterrence and prevention in dealing with election-related violence. I would therefore encourage the Security Council to consider authorizing the deployment of two additional formed police units and associated enablers to increase the readiness of MONUSCO to protect civilians, monitor the human rights situation and assist national authorities in public order management, especially in Kananga and Lubumbashi, where there is a high risk of urban violence in the upcoming electoral period. The need for those additional formed police units would be reviewed as soon as the elections are concluded with a view to phasing them out.

62. I am deeply disturbed by the sharp increase in human rights violations, including the continued shrinking of political space. I urge the Congolese authorities to take appropriate measures to hold perpetrators of human rights violations accountable. I also call for timely and credible investigations into the serious violations committed during the September and December 2016 events in the Democratic Republic of the Congo, which led to the killing of some 100 civilians mainly by the national security forces. I urge the Government to swiftly investigate allegations of human rights violations in the context of clashes between the national security forces and Kamuina Nsapu militia forces in the Kasai provinces. I welcome the release of some prisoners who had links with or were close to political parties and the reopening of some media outlets affiliated with the opposition, which are important confidence-building measures to support the political transition. I encourage the Congolese authorities to pursue further confidence-building measures and uphold the free exercise of political and civil rights.

63. I am deeply concerned by recent reports of cross-border movements of former M23 elements, and the negative impact of the conflict in South Sudan and the situation in Burundi on the Democratic Republic of the Congo. I also remain concerned that many of the commitments in the Peace, Security and Cooperation Framework remain outstanding. I call upon all signatories of the Framework to redouble their efforts to reinvigorate its implementation and to realize the commitments made. I also encourage key regional leaders to remain engaged in efforts to keep the political process moving forward. I welcome the establishment of the joint technical committee between MONUSCO and the Government focusing on options for the relocation of the SPLM/A-IO elements and encourage the Government to continue its engagement with national and regional stakeholders to identify a sustainable solution to that particular issue.

64. The year 2017 will be crucial for the Democratic Republic of the Congo. The presence of MONUSCO in the country therefore remains essential to help keep the political process on track, preserve the gains made and shore up the prospects for stability in the country. I therefore recommend that the Security Council extend the mandate of MONUSCO for a period of one year, until 31 March 2018, taking into account the recommendations regarding MONUSCO support to the electoral process and adjustments to the force, and increase the authorized ceiling for the police component from 1,050 to 1,370 personnel. In the meantime, MONUSCO will continue to make adjustments to its priorities, posture and presence, as outlined in paragraphs 38 to 50 of the present report.

65. I would like to thank my Special Representative, Maman Sidikou, and all the women and men of MONUSCO and the United Nations country team for their service, often under difficult conditions. Their determination and dedication have been instrumental in helping to stabilize the security situation and consolidate the gains achieved thus far. My appreciation also goes to troop- and police-contributing countries and to the donors, the regional and multilateral organizations and the non-governmental organizations that have continued to provide invaluable support to the Democratic Republic of the Congo.

Map No. 4412 Rev. 23 UNITED NATIONS
February 2017 (Colour)

Department of Field Support
Geospatial Information Section (formerly Cartographic Section)